

## NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**2880. Adulteration and misbranding of sorghum. U. S. v. Fort Scott Sorghum Syrup Co.**  
**Plea of guilty. Fine, \$20 and costs. (F. & D. No. 4244. I. S. No. 17208-d.)**

On March 4, 1913, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Fort Scott Sorghum Syrup Co., a corporation, Fort Scott, Kans., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 27, 1912, from the State of Kansas into the State of Nebraska, of a quantity of so-called pure sorghum which was adulterated and misbranded. The product was labeled: "Advo. Net weight 5 pounds. Advo. Pure Sorghum. Packed for McCord-Brady Co., Omaha, Neb."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Solids, by refractometer (per cent).....	79.39
Ash (per cent).....	2.8
Reducing sugars as invert before inversion (per cent).....	37.2
Polarization direct at 32° C. (° V.).....	+58.8
Polarization invert at 32° C. (° V.).....	+28.0
Polarization invert at 87° C. (° V.).....	+38.0
Sucrose, Clerget (per cent).....	24.3
Commercial glucose (163) (per cent).....	23.3

Adulteration of the product was alleged in the information, for the reason that it contained 23.3 per cent of commercial glucose and said commercial glucose had been mixed and packed in the product in such manner as to reduce and lower and injuriously affect its quality and strength, and, further, that a substance, to wit, commercial glucose, had been substituted wholly or in part for the genuine article. Misbranding was alleged for the reason that the product was labeled "Pure Sorghum" and said statement borne on the label was false and misleading, because it misled and deceived the purchaser into the belief that the product was pure sorghum, when, as a matter of fact, it was a mixture of sorghum and commercial glucose, and was further misbranded in that it was labeled and branded so as to deceive and mislead the purchaser, being labeled "Pure Sorghum," thereby purporting that it was a pure sorghum, when, in truth and in fact, it was a mixture of sorghum and commercial glucose.

On May 5, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$20 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

**2881. Adulteration and alleged misbranding of peppermint essence. U. S. v. The Weideman Co. Plea of guilty to count 1 of information. Fine, \$50 and costs. Second count nol prossed. (F. & D. No. 4268. I. S. No. 2497-d.)**

On November 15, 1912, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Weideman Co., a corporation, Cleveland, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 16, 1911, from the State of Ohio into the State of New York, of a quantity of peppermint essence which was adulterated and alleged to have been misbranded. The product was labeled: (On head of keg) "G Peppermint Essence." (On opposite end of keg) "\* \* \* Peppermint Formula Solution of Peppermint 800 parts. Hydro-alcoholic Solution 2,000 Parts Trace of Harmless Color."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity, 15.6°C./15.6°C.....	0. 9174
Alcohol (per cent by volume).....	57. 84
Methyl alcohol (per cent by volume).....	None.
Solids.....	0. 15
Oil (per cent by volume) (by precipitation, Howard's method modified) ..	0. 8
Coal-tar color.....	Present.
Color, Light Green S F Yellowish.	

Adulteration of the product was alleged in the first count of the information for the reason that a substance, to wit, a peppermint essence or extract, deficient in oil of peppermint, had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength, and in that said substance had been substituted wholly or in part for the full strength peppermint essence or extract which the article was prominently represented to be. Adulteration was alleged for the further reason that the product was artificially colored with a green dye, whereby the appearance of a full strength peppermint essence or extract was simulated, and the inferiority of this article as a dilute peppermint extract or essence, deficient in oil of peppermint, was concealed. Misbranding was alleged in the second count of the information for the reasons that the statement on the label "Peppermint Essence" was false and misleading, as it conveyed the impression that the product was a full strength essence or extract of peppermint, whereas it was a dilute extract or essence of peppermint, deficient in oil of peppermint, and that it was labeled and branded so as to deceive and mislead the purchaser, being prominently labeled as a peppermint essence, thereby purporting that it was a genuine peppermint essence or extract of full strength, whereas it was a dilute peppermint extract or essence deficient in oil of peppermint, and the qualifying statement contained in a formula appearing on the label was not sufficient to correct the false impression created by the statement heretofore cited.

On November 18, 1912, the defendant company entered a plea of guilty to the first count of the information, and the court imposed a fine of \$50 and costs. The second count of the information, charging misbranding, was nolprossed.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

**2882. Adulteration and misbranding of mincemeat. U. S. v. The W. H. Marvin Co. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 4269. I. S. No. 10101-d.)**

On January 17, 1913, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States for said district an information against The W. H. Marvin Co., a corporation, Urbana, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on September 1, 1911, from the State of Ohio into the State of Minnesota, of a quantity of an article purporting to be mincemeat which was adulterated and misbranded. The product was labeled: (On carton) "Gopher Brand (Device: picture of gopher) Mince Meat prepared for Foley Bros. & Kelly, St. Paul, Minn. Guarantee: This Mince Meat is guaranteed to meet the requirements of the National Pure Food Law enacted June 30, 1906, and is composed of the following articles: Meat, raisins, currants, apples, sugar, salt, spices, flour, and fruit juices. The Meat used in this Mince Meat is U. S. inspected and passed at an establishment where inspection is maintained under the Act of Congress June 30, 1906. 12 ozs. net."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Protein (N $\times$ 6.25) (per cent) .....	1. 68
Fat (per cent).....	0. 25
Microscopic examination: Approximately 0.1 per cent meat present.	
No suet found.	